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Far Eastern Republic

Forest regulations

[S.l.]

[1921?]

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Signed August 25th, 1921.

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Forest Regulations

Fijl 7
The Far Eastern Republic
6.11.22

M.W.L. July 23, '23

GENERAL RULES REGARDING THE GRANTING OF CONCESSIONS OF FOREST AREAS OF THE FAR EASTERN REPUBLIC

1. Long term concessions of all forest areas on the territory of the Republic which have not yet been disposed of may be granted by special agreement.

2. The agreement is concluded by the Council of Ministers through the Minister of Agriculture or any other duly authorized person to conclude such agreements; and these agreements enter into effect after their confirmation by the Government of the Far Eastern Republic.

At the time when the agreement regarding the concession is being concluded it is necessary to have the opinions and conclusions regarding the proposed concession from the corresponding Provincial Department and of the Central Forestry Department.

3. Concessions to forest areas are to be granted for a term of not longer than 36 years to citizens of the Far Eastern Republic and of the Russian Socialist Federated Soviet Republic as well as to foreign subjects.

4. In case of more than one offer for the same concession a competition is to be arranged between respective applicants, and preference is to be given to the applicants whose offer may prove more acceptable, not only from the standpoint of a higher bid, but also from the standpoint of the national interest, as guaranteeing the development of such industries which may assist the economic progress and the colonization of that part of the country; at the same time the responsibility of the concessionaire is to be taken into account. If all terms offered by the applicants are equal, preference is given to citizens of the Far Eastern Republic and Russian Socialist Federated Republic

before any other country. Public organizations are to be given preference before indivduals.

5. The holder of the concessional grant shall pay every year in gold standard the arranged cost of the annual estimated timber allotments on the basis of not less than the fixed prices existing from the moment of the signature of the contract. He shall also pay annually 10% of the above fixed price for forest amelioration.

6. The holder of the grant is also to pay a tax on the net profits shown by the annual accounts of the enterprise. The Ministry of Finance is to fix the amount of the tax in accordance with the existing income tax laws. Such payments to be made not later than the 30th of July of the fiscal year.

7. The holder of the grant shall stock on the allotted sections all the various types of timber of the annual allotments such as estimated for the first few years by the respective forestry boards, and shall pay for such annual allotments the existing stump tax.

8. The reforestation of the alloted section is done for the account of the holder of the grant who shall pay within the first ten years for each desiatina (about 2 7-10 acres) the amount specified by the contract to the reforestation of the allotted portion.

9. Until the reforestation of the alloted portion the order and number of trees to be felled is determined by the respective forestry boards according to the existing regulations. The final and possible allocation is determined after the completion of the reforestation. In this case as in previous ones, the regulation for the order and number of trees to be felled are obligatory to the holder of the grant.

10. The Government of the Far Eastern Republic holds the right to eliminate from the allotted sections such portions of ground which may be needed for the construction of railways or other roads of public utility. In the event considerable portions of the allotted ground are eliminated by the Government for any other purposes, the holder of the grant shall be compensated by corresponding portions from nearby national forest sections not included in the grant.

11. The holder of the grant undertakes within five years from the date of the signature of the contract to build on the allotted area, mills, factories, harbors and roads according to the plan approved by the Government. The forestry bureau notifies the holder of the grant within two years from the date of signature of the contract of the maximum amount of timber to be worked on above mills and factories annually for the duration of the contract. During the first five years of the contract the holder of the grant may export timber in its natural state; in the succeeding years such must be exported only as a manufactured or half-manufactured product. A special contract must specify the type of timber permitted for export in a natural state for the duration of the original contract. Should the annual allotment of the timber for exploitation prove as a result of the reforestation plan, larger than that fixed by the forestry bureau within the first two years, such surplus may be exported in its natural state.

12. The contract shall specify the maximum quantity (not exceeding 10% of the output) of manufactured or half-manufactured products which the Government may require for its own use, such products to be delivered at the actual cost adding 10% for the profit of the holder of the grant. Delivery is effected on the Governments demand made within reasonable time and not later than the time specified in the contract.

13. As a guarantee against the non-fulfillment of the contract the holder of the grant pays to the Government at the time of the signature of the contract a cash deposit of half of the fixed annual cost of the estimated timber allotment.

14. The forestry board is entitled to send a definite number of forestry students to the allotted section to learn the methods of working of the enterprises. The holder shall offer all possible facilities to such students in their object, but need not, however, acquaint them with such processes as are technical secrets.

15. The holder of the grant shall within a definite time

and according to the approved plan provide dwelling houses and other necessary buildings for the Government foresters.

16. Buildings of a permanent nature shall be erected in conformity with the building statute of the Republic, those of a temporary nature must guarantee the safety of the worker's life and health.

17. The holder of the grant may employ during the period of the contract foreign labor in case the demand of his enterprise cannot be satisfied by the supply of labor from the Far Eastern Republic and the Russian Socialist Federated Soviet Republic.

18. The holder of the grant shall comply with all laws and regulations of the Far Eastern Republic.

19. The holder of the grant shall pay all Government income and other taxes and assessments on the same basis as all other taxpayers, but the total amount of the local taxes are not to exceed 30% of the holder's Government taxes.

20. At the expiration of the contract and in case the Government does not wish to renew it, the Government has the right to acquire the enterprise in working order at its actual cost, taking into account the legal amortization of the equipment of the enterprise. All buildings on the allotted area become the property of said Government at the expiration of the contract free of charge. If at the expiration of the term of the grant, the contract is not renewed and the Government does not acquire the enterprise, the holder of the grant is given one year for the liquidation of his business without the right, however, to remove the equipment beyond the territory of the Republic and any equipment and construction found on the allotted area at the expiration of the above time limit becomes the property of the Government, without any payment.

21. Should the Government of the Far Eastern Republic on the expiration of the contract deem it necessary to continue the exploitation of the allotted forest area, the holder of the grant is to be given preference before other applications if conditions of the offer are equal.

22. The grant may be transferred by its original holder

to other parties only by the permission of the Council of Ministers and the sanction of the Government of the Far Eastern Republic.

23. All litigation and claims which may arise between the holder of the grant and the Government of the Far Eastern Republic or private citizens and institutions are to be determined in the courts of the Republic.

August 25th, 1921.

Affirmed by the Government in accordance with paragraph 43 of the Constitution.

Acting President of the Government,
(Signed) N. MATVEEV

Countersigned:

Chairman of the Council of Ministers,
(Signed) P. NIKIFOROV.

MSH 22500

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TITLE